

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOROTHY JONES,

Plaintiff,

-against-

SOCIAL SECURITY ADMINISTRATION;
JANE DOE,

Defendants.

22-CV-9786 (ALC)

ORDER OF SERVICE AND
SCHEDULING ORDER

ANDREW L. CARTER, JR., United States District Judge:

Plaintiff, appearing *pro se*, brings this action seeking to have the court order the Social Security Administration to pay her retroactive survivor benefits for the period March 2021 through June 2021. By order dated November 21, 2022, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis*.

The Clerk of Court shall electronically notify the U.S. Attorney's Office for the Southern District of New York that this case has been filed.

Within 60 days of the date of this order, the Social Security Administration must serve and file its answer, or otherwise move against the complaint.

The plaintiff must file a response within 30 days of the filing of the Commissioner's answer or motion. The Commissioner may file a reply within 21 days thereafter.

Memoranda in support of or in opposition to any dispositive motion may not exceed 25 pages in length; reply memoranda may not exceed ten pages in length. A party seeking to exceed these page limitations must apply to the Court for leave to do so, with copies to all counsel, no fewer than seven days before the date on which the memorandum is due.

To conserve resources and promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are

willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned magistrate judge.

If both parties consent to proceed before the magistrate judge, counsel for the defendant must, by no later than January 26, 2023, file a letter with the Court, with an attached fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, the blank form for which is included in the information package accompanying this order (and also available at <https://www.nysd.uscourts.gov/node/754>). If the Court approves that form, all further proceedings will then be conducted before the assigned magistrate judge rather than before me. An information sheet on proceedings before magistrate judges is also attached to this order. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit.

If either party does not consent to conducting all further proceedings before the assigned magistrate judge, the defendant's counsel must file a letter by no later than January 26, 2023, advising the Court that the parties do not consent, *but without disclosing the identity of the party or parties who do not consent. **The parties are free to withhold consent without negative consequences.***

SO ORDERED.

Dated: December 28, 2022
New York, New York



ANDREW L. CARTER, JR.
United States District Judge